

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Kerry McLain,

Plaintiff,

v.

**ORDER**

Civil No. 06-4389 ADM/JSM

Andersen Corporation and  
Andersen Distribution, Inc.,

Defendants.

---

Charles L. Friedman, Esq., Friedman Law Office, Minneapolis, MN, on behalf of Plaintiff.

David M. Wilk, Esq., Larson King, LLP, St. Paul, MN, on behalf of Defendants.

---

Oral argument before the undersigned United States District Judge was heard today on Plaintiff Kerry McLain's Motion to Remand to State District Court [Docket No. 67] and Defendants Andersen Corporation and Andersen Distribution, Inc.'s Motion to Strike [Docket No. 82] Plaintiff's Reply Memorandum. For the reasons stated by the Court at oral argument, Plaintiff's Motion is denied and Defendants' Motion is denied as moot.

Based upon the foregoing, and all the files, records, and proceedings herein, **IT IS**  
**HEREBY ORDERED** that:

1. Plaintiff Kerry McLain's Motion to Remand to State District Court [Docket No. 67] is **DENIED**;
2. Defendants Andersen Corporation and Andersen Distribution, Inc.'s Motion to Strike [Docket No. 82] is **DENIED** as moot; and
3. The Clerk is instructed to update the case caption to reflect that the named Defendants in Plaintiff's Amended Complaint [Docket No. 64] are Andersen Corporation and Andersen Distribution, Inc.

BY THE COURT:

s/Ann D. Montgomery  
ANN D. MONTGOMERY  
U.S. DISTRICT JUDGE

Dated: July 19, 2007.